

and punish persons violating the same,"

Being the special order for to-day, was laid before the Senate and

Read the second time with a favorable committee report.

On motion of Senator Pope,

The further consideration of the bill was postponed till to-morrow, after morning call.

Senate bill No. 11, a bill to be entitled "An act to amend article 1192 of the Revised Civil Statutes,"

Was taken up,

Read the third time and passed.

Senator Tyler entered a motion to reconsider the vote just taken.

Senate bill No. 20, a bill to be entitled "An act to amend section 28 of an act entitled an act to establish and maintain a system of public free schools for the State of Texas,"

Was taken up,

Read third time, and passed.

Senate bill No. 31, a bill to be entitled "An act to authorize the Governor, when in his judgment the circumstances surrounding each case may warrant him so doing, to restore to full citizenship, with the right of suffrage, any person who may have been convicted of a felony, and who may have served out his term in the penitentiary or have been pardoned,"

Was taken up,

Read the third time, and passed.

Senate bill No. 32, a bill to be entitled "An act to amend chapter 4, title XCIII, of the Revised Civil Statutes of the State of Texas, by adding thereto another article, to be known as article 4610a, relating to the mode of preventing certain animals from running at large in counties and subdivisions,"

Was taken up,

Read the third time and passed.

Senate bill No. 43, a bill to be entitled "An act to purchase State convict farms and improve the same and work convicts thereon, and to make an appropriation therefor,"

Was laid before the Senate, and

On motion of Senator Frank,

Was made the special order for Saturday, after morning call.

Senate bill No. 132, a bill to be entitled "An act to define the liability of corporations in cases of personal injuries to employes,"

Was taken up,

Read the third time and passed.

On motion of Senator Woodward,

The Senate adjourned till 10 o'clock to-morrow morning.

TWENTY-SECOND DAY.

SENATE CHAMBER.

AUSTIN, February 1, 1889.

Senate met pursuant to adjournment.

Lieutenant-Governor Wheeler in the chair.

Roll called.

Quorum present.

Prayer by the Rev. Dr. Dodge.

On motion of Senator Woodward,

The reading of the Journal of yesterday was dispensed with.

On motion of Senator Upshaw,

Senator Burges was excused from to-day until next Monday, on account of important business.

On motion of Senator Armistead,

Senator McDonald was excused indefinitely, on account of important business.

On motion of Senator Frank,

Senator Field was excused from yesterday until Monday, on account of important business.

On motion of Senator Tyler,

Senator Sims was excused indefinitely, on account of important business.

The President appointed

Senators Burney, Armistead and Maetze, on the part of the Senate, on the committee to visit the schools.

PETITIONS AND MEMORIALS.

By Senator Lane:

A petition asking the repeal of the occupation tax for the privilege of engaging in any honorable business not injurious to the body politic.

Referred to Committee on Finance.

By Senator Jarvis:

Petition of citizens of Wise county relative to occupation tax.

The petition asks for the repeal of the occupation tax on all honorable vocations.

Referred to Committee on Finance.

REPORTS OF STANDING COMMITTEES.

By Senator Cranford:

COMMITTEE ROOM,

AUSTIN, January 31, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on State Affairs, to whom was referred

Senate bill No. 190, entitled "An act to prevent corporations incorporated under the laws of this State or other States, or of the United States, and

doing business in this State, from combining, consolidating or pooling with any other incorporation incorporated for like purposes, or engaged in or pursuing like business, and to provide penalties for the violation of the provisions of this act,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it be considered with Senate bill No. 82 on the same subject.

All of which is respectfully submitted.

CRANFORD,
Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, January 31, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on State Affairs, to whom was referred

Senate bill No. 193, entitled "An act defining trusts to be an unlawful conspiracy, and to provide for the punishment of persons connected with and carrying them on,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it be considered with Senate bill No. 82, on the same subject.

All of which is respectfully submitted.

CRANFORD,
Chairman.

Bill read first time.

By Senator Stephens:

COMMITTEE ROOM,
AUSTIN, January 31, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 158, being "An act to amend article 2838 of the Revised Statutes,"

And find the same correctly engrossed.

STEPHENS,
Acting Chairman.

Senator Johnson sent up the following minority report:

COMMITTEE ROOM,
AUSTIN, January 31, 1889.

Hon. T. B. Wheeler, President of the Senate:

The undersigned members of Judici-

ary Committee No. 1, to whom was referred

Senate bill No. 150, to exempt from mortgage or forced sale the work stock and corn for the family, being unable to concur in the adverse report of the majority, beg to dissent therefrom and present the following minority report:

Conceiving the primary object of all legislation is to build up good citizenship and uphold the manhood of Texas, your committee know of no measure which will be so strongly conducive to that end. It deals with the two great classes of the people, "the debtor and creditor." It will directly benefit the poor farmers of Texas, who constitute a vast and constantly increasing majority of the citizens of Texas. Its object is to save from the grasp of the creditor "the last plow horse and the children's bread."

The unchangeable policy of this State is to preserve the homestead, and the right to mortgage it is taken away so it can be kept for the family. Yet, as the law now stands, the farmer losing his mortgaged stock by crop failures, is compelled to sell his homestead for bread.

Although in many instances these mortgages may not be foreclosed, yet they are the means by which the farmer is forced to execute twelve per cent interest bearing notes for unpaid balances. These balance notes extorted from the unfortunate farmer, enslaves him and sooner or later crushes him.

Conceding that credit is necessary in the cotton growing States, where crops are annual, yet the undersigned believe that the only basis of credit should be the crop. That the capital of the merchant should be placed against the labor of the farmer. If God prospers the land, both prosper. If misfortune come let the merchant take the crop, but spare the work stock and the family bread. There is no justice in making the farmer insure the merchant against the chances of the season to his own ruin. If the home merchant fails, indulgent creditors compromise at one-half or one-fourth of their demands, and if worthy they start in again. There is no compromise for the farmer.

This is no interference with personal liberty, but it does interfere with mercantile greed. It will not interfere with honest men obtaining credit, for if merchants will not sell others will take their place and do so, but merchants will be more cautious as to the amount and character extended, which will be better for all

parties, and the farmer, secured in his work stock and food for his little ones will, instead of dodging creditors and resorting to devious ways of avoiding what he regards as an unfair debt, will cheerfully bear all present privations in the hope of a better day ahead.

For these reasons the undersigned, in the interests of the farmers of Texas, ask the passage of the bill.

SIMKINS.

I sign the minority report with the additional statement: That I am of the opinion that the true object of our blessed and beneficent exemption laws will not be secured until the State shall refuse to enforce all mortgages and other contract liens upon such property as the law has already exempted from forced sale. The objection urged to such legislation that it is paternal in its character, is fully answered when we remember that the undertaking upon the part of the State to enforce private contracts is purely voluntary and may at any time be withdrawn when the enforcement of the obligation is against public policy or the public good.

JOHNSON,
TOWNSEND.

BILLS AND RESOLUTIONS.

By Senator Glasscock:

A bill to be entitled "An act to amend article 967, title 24, Revised Civil Statutes."

[This bill provides that all money received from the sales of estrays and all occupation taxes shall be a part of the road and bridge fund.]

Referred to Committee on Roads and Bridges.

By Senator Lane:

A bill to be entitled "An act to regulate railroads doing business in the State of Texas, to fix maximum rates of freight charges on all classes of freights, to compel all such railroad companies to establish classifications on all kinds of freights, and to divide all freights into classes ranging from one to ten inclusive; to prevent unjust discriminations, extortions, and to repeal all laws and parts of laws in conflict herewith."

Referred to Committee on Internal Improvements.

By Senator Stephens:

A bill to be entitled "An act extending for ten years the payment of the principal of the purchase money

for lands purchased under the act of the Legislature herein named."

[This bill refers to the lands sold under the act approved July 8, 1879, which obligations are bearing the State ten per cent interest per annum, and seeks to extend the time so the State may get the benefit of such rate of interest.]

Referred to Committee on Education.

By Senator Burney:

A bill entitled "An act to repeal section 71, chapter 25, of the acts of the special session of the Eighteenth Legislature, passed February 4, 1884."

[This bill seeks to repeal the law permitting some counties to have the community system of public free schools and to place all counties under the district system.]

Referred to Committee on Education.

A bill to be entitled "An act to amend article 850; title 23, Revised Statutes, and to more clearly define the boundary line between Mason and McCulloch counties."

[The caption explains the import of the bill. It contains the emergency clause.]

Referred to the Committee on Counties and County Boundaries.

By Senator Armistead:

A bill to be entitled "An act to provide for the issuance of bonds of this State to supply deficiencies in the revenue, and to provide the manner of the sale of said bonds to the Board of Education for the permanent University fund."

[This bill provides that said bonds shall be sold at par, that they shall be of such denomination as the Governor may direct, bear six per cent interest and be redeemable at the pleasure of the State; that said bonds shall be signed by the Governor and Treasurer and countersigned by the Comptroller and properly registered; that they shall be offered to said Board of Education as an investment for the permanent University fund then on hand in cash which are by law authorized to be invested; that should said board fail to take said bonds thus offered, the same shall be destroyed, and that this act take effect from and after its passage.]

Referred to Committee on Finance.

By Senator Kimbrough, by leave:

Joint resolution amending article 8 of the Constitution of the State of Texas, by adding thereto section 20, authorizing the securing of a deep

water harbor on the coast of this State."

[This bill provides that section 20 shall read: "The Legislature may, for the purpose of securing a deep water harbor on the coast of this State, issue bonds and levy an annual tax of not exceeding five cents on the one hundred dollars valuation to pay the interest and provide a sinking fund therefor."]

Referred to Committee on Constitutional Amendments.

Senate bill No. 82, a bill to be entitled "An act to prevent unlawful combinations in restraint of commerce and trade, to insure free competition in all branches thereof throughout the State of Texas, to define said offense and punish persons violating the same,"

Was laid before the Senate as the special order, and ordered engrossed.

Senate bill No. 148, a bill to be entitled "An act to regulate the sale and transfer of judgments of courts of record, and of causes of action or interest therein where suit has been filed thereon, and to provide for recording such transfers,"

Was laid before the Senate and read the second time with a committee amendment, as follows:

Add after the word "court," in the tenth line from the bottom of the first page, the following: "Or if judgment be not rendered when such transfer is filed the clerk shall make a minute of such transfer on the court trial docket when the suit is entered."

The committee amendment was adopted, and

The bill as amended was ordered engrossed.

Substitute House bill No. 15, a bill to be entitled "An act to amend article 486 of the Revised Statutes of the State of Texas,"

Was laid before the Senate and read the second time with a favorable committee report.

Senator Upshaw offered the following amendment:

In line 9, page 2, strike out the words "two successive issues" and insert "one issue."

The amendment was adopted by the following vote:

YEAS—19.

Abercrombie,	Clalborne,
Allen,	Cranford,
Armistead,	Frank,
Burges,	Harrison,
Burney,	Jarvis

Johnson,
Kimbrough,
Maetze,
Seale,
Simkins,

Sims,
Tyler,
Upshaw,
Woodward.

NAYS—4.

Glasscock,
Lane,

Stephens,
Townsend.

ABSENT—1.

Pope.

The bill as amended passed to its third reading.

House bill No. 28, a bill to be entitled "An act to prevent minors from gaming,"

Was taken up, and
Read the second time with a favorable committee report.

The bill passed to its third reading.
The President gave notice of signing and did sign in open Senate

House bill No. 122, "An act to make all negotiable bonds and coupons held by the State of Texas in trust for its public institutions non-negotiable."

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
AUSTIN, January 31, 1889.

Hon. T. B. Wheeler, President of the Senate:

SIR—I beg to inform the Senate that the House has adopted

A concurrent resolution providing for the appointment of joint committee to be composed of three Representatives and two Senators to visit and examine the condition, management and operation of the Agricultural and Mechanical College, Sam Houston and Prairie View Normal Schools, and providing also a like joint committee to visit the North Texas Asylum at Terrell.

The House has passed House bill No. 16, a bill to be entitled "An act to create a board of arbitration to settle and determine the controversy between the United States and the State of Texas, relating to certain territory respectively claimed, and to make an appropriation therefor," and also

Substitute House bill No. 21, a bill to be entitled "An act to make valid and to confirm certain contracts of sale made by the Land Board of the State of Texas made with divers persons for the sale of certain of the free school and asylum lands of the State of Texas, sold under the act of the Legisla-

ture of the State of Texas, approved April 12, 1883."

W. M. IMBODEN,
Chief Clerk House of Representatives.

Substitute House bills Nos. 22 and 187, a bill to be entitled "An act to amend article 2979, of title 54, of Revised Civil Statutes of the State of Texas,"

Was laid before the Senate, and

Read the second time with a favorable committee report.

Senators Lane, Burges, Upshaw and Armistead opposed the bill.

Senators Simpkins and Allen favored it.

Senator Allen moved to refer the bill to Judiciary Committee No. 2, to be considered with a bill now before that committee embracing the same subject matter.

Lost.

Senator Stephens moved to

Amend by adding the words "Provided, that the principal of said debt so forfeited shall be collected for the use and benefit of the State of Texas, and shall constitute part of the public school funds of the State."

(Senator Abercrombie in the chair.)

(The President in the chair.)

On motion of Senator Tyler,

The bill, with the pending amendment, was recommitted to Judiciary Committee No. 1.

The Senate was notified by the Governor of the appointment of the following notaries public:

ATASCOSA COUNTY.

Pleasanton—W. J. Bowen.

ARANSAS COUNTY.

E. H. Norvell, L. F. Bailey, T. G. Andrews.

ANDERSON COUNTY.

Palatine—L. S. Hays, Lucius Gooch, Gabriel Ash, A. W. Gregg, E. L. Gammage, Samuel Dexter, R. J. Royall, C. F. Sawyers, Z. L. Robinson, S. A. McMenis, Lucius Gooch.

Brushy Creek—J. F. Cely.

Nechesville—J. G. McReynolds.

Kickapoo—W. S. Robertson.

Elkhart—James W. Bryan, Hon. Benj. Parker, R. C. Parks.

Bethel—W. L. Dirden,

Montalbu—J. B. Hamlet.

Bradford—P. L. Bradford.

ANGELINA COUNTY.

Howard—J. W. Davis.

Lufkin—W. L. Dunman.

Burke—Daniel McCall.

Pollok—J. G. McKnight.

Ora—Calvin Cochran.

Mott—W. H. Cassells.

AUSTIN COUNTY.

Shelby—W. B. Witte.

Catsprings—John Kraucher.

Sealy—J. W. Lott.

Bellville—J. I. Bell, J. A. Mache-mehl.

Wesley—Joseph Mineska.

Charles Korff.

WASHINGTON COUNTY.

Washington—W. B. Garrett, J. D. Campbell, T. J. Newman, F. P. French.

Burton—W. C. Broesche, Branch A. Watson.

Brenham—Miss Lucy B. Bassett, W. A. Vincen, Oscar Samuels, A. Jeffries.

Independence—D. R. Ponce.

BURLESON COUNTY.

Burleson—James W. Ragsdale, John G. Dalrymple, A. W. McIver.

Caldwell—Henry G. King, Charles S. Williams, C. C. Harvey, John Alexander, E. G. Banks, W. H. Korthauer.

Lyons—A. H. Adams.

FORT BEND COUNTY.

Richmond—J. D. Bryant.

BOWIE COUNTY.

Texarkana—Wm. M. Campbell.

BREWSTER COUNTY.

Alpine—W. W. Turney, A. T. Winder, Walter Garnett, John Crosson, W. B. Hancock, L. W. Durrell, N. Van Horn.

Marathon—J. B. Wallace, J. J. Hess.

Alpine—J. B. Gillett.

Haymond—J. B. Brown.

CALHOUN COUNTY.

John Roemer, J. M. Bickford, T. D. Woodward.

CAMERON COUNTY.

Brownsville—Benjamin Kawalski, William F. Dennett, James A. Browne, Martin B. Kingsbury, E. H. Goodrich, Emile C. Forto, Charles F. Tilghman, George More, William H. Schmidt, Frank Fenille, Robert W. DeRussy.

Santa Maria—Lawrence S. Hines.
Point Isabel—Albert C. Howell,
Frank Garriga.

CLAY COUNTY.

A. D. Goodenough, B. L. Frost, M.
E. Ivie, J. E. Bomar, A. K. Swan.

COLEMAN COUNTY.

Novice—Arthur McFarland.

DENTON COUNTY.

Pilot Point—John Collier.

DE WITT COUNTY.

W. J. McManus, T. J. Brownson.

DUVAL COUNTY.

Realitos—Herff Smyth.
San Diego—C. Luther Coyner, J. W.
Moses.
Benavides—E. A. Glover, John J.
Dix.

ENCINAL COUNTY.

William R. Jones.

EL PASO COUNTY.

El Paso—J. W. Eubank, Graham
Smith, T. H. Conklin, J. C. Lackland,
W. E. Kneeland, H. H. Neill, Wynd-
ham Kemp, H. P. Brown, W. L. Moss,
Milliard Patterson, J. P. Pryor, W. H.
Darrough, A. G. Foster, Fred Town-
send, E. L. Shackelford, T. F. Rich-
mond, Walters Davis, A. P. Cole, M.
J. McKellegin, B. P. Eubank, W. H.
Long, M. B. Proctor, M. W. Stanton,
William Crosby, F. E. Hunter, S. W.
Russell, Z. B. Clardy, W. B. McLoch-
lin, Leigh Clark, L. H. Davis, Henry
Braden, H. Smythe, C. Q. Stanton, H.
B. Stevens, W. C. Denny, W. B.
Brack, A. S. Blackburn.

Ysleta—G. W. Wahl.
San Elizario—Wm. Hamilton, Gre-
gorian Garcia, sr.
Sierra Blanco—G. H. Hutchins.
Clint—Charles L. Allen.

FALLS COUNTY.

Newlin—Z. I. Harlan.

FRIO COUNTY.

Dilly—J. M. Miller.
Moore—J. B. McMahon.
Friotown—John A. Pranglin.
San Miguel—J. W. Cross.
Pearsall—R. W. Hudson, W. T.

Merriwether, W. A. Carter, John I.
Bivens, W. H. Rowland, Dan T. Price,
W. A. Blair.

GOLIAD COUNTY.

J. C. Burns.

GRIMES COUNTY.

Bidias—J. T. McDonald, C. B.
Nichols.

Darby—Alex Magee.

Navasota—J. L. Dickson, Pinckney
Hawkins, J. H. Fruman, C. L. Ketter,
J. M. Shaw.

Anderson—A. M. Campbell, A. F.
Brigance, J. G. McDonald, sr., J. R.
Lindley.

Plantersville—P. G. Meacham.

Iola—L. W. D. Quince.

HOUSTON COUNTY.

Lovelady—W. M. Freeman, D. J.
Cater.

Grapeland—R. M. Garrett.

Crockett—J. E. Downs, E. Winfree,
O. C. Aldrich.

Augusta—John Kennedy, S. C. Ca-
binis.

HIDALGO COUNTY.

Hidalgo—Jesse Dennett, William
P. Dougherty, W. B. Barton.

HARRIS COUNTY.

Houston—E. Raphael, John G. Tad,
Charles Culmore, A. R. Railley.

JEFF DAVIS COUNTY.

Fort Davis—L. B. Caruthers, S. A.
Thompson, J. D. Davis, Sidney J.
Turney, T. A. Merrill.

Valentine—Daniel Carr, T. R. Kerr.

JACKSON COUNTY.

J. O. Rowlett, C. T. Taylor, R. R.
Bolling.

JOHNSON COUNTY.

Cleburne—J. O. Davis, L. M. Lay-
ton, S. D. Mobley, J. W. Lambard,
John R. Ransome, W. F. Beard, James
A. Graham, J. J. Ramsey, H. L.
Hall, J. A. Wilson.

Alvarado—Miss Jessie McElree,
Andrew King, W. E. Knox, I. A.
Patton, Robert Montgomery.

Grandview—Hiram Gardner, G. W.
Humphries.

Egan—W. E. Miller.

KINNEY COUNTY.

Brackettsville—I. L. Martin, R. Kratz, C. A. Gidden, W. W. Lambert, C. C. Clamp.

LAMPASAS COUNTY.

Lampasas—E. M. Longcope.

LA SALLE COUNTY.

Cotulla—W. J. Bowen, M. R. Miller, F. E. Thompson, W. S. Cobb, F. B. Earnest, Fredrick Hayes.

MAVERICK COUNTY.

Eagle Pass—D. W. Varnell, T. V. Blesse, Eugene P. Carolan, J. W. Coggin, Nat Sulzbacher, W. L. Evans.

MIDLAND COUNTY.

Midland—E. D. Decker, B. H. Brandt, R. H. Zane, A. B. Roundtree, E. L. Lancaster, J. C. Kerr.

M'CULLOCH COUNTY.

San Saba—Chas. Harcourt, John Moses, Walter Anderson, J. L. Spiller, J. L. Tarber, T. S. Wood, G. L. Beatty, F. M. Newman, M. E. Cox, T. M. Spindle, Theodore Evans, J. R. Graham.

NUECES COUNTY.

Corpus Christi—Delmas Givens, George Wolfrom, E. A. McCampbell, T. P. Rivera, C. W. Young, Peyton Smythe, W. J. Robertson, J. H. C. White, C. L. Lege, G. R. Scott, Royal Givens, J. W. Ward, R. W. Stayton, W. B. Hopkins.

PECOS COUNTY.

Fort Stockton—O. W. Williams, F. H. Young, T. J. Ray.

Dryden—W. W. Simonds, D. G. Franks.

Sanderson—Charles Downie.

PRESIDIO COUNTY.

Marfa—F. W. Harwood, W. L. Hutchinson.

Shafter—George S. Dawson, T. J. Hensley.

Presidio—R. C. Daly, Charles Henderson, G. H. Brooks.

Alamito—Joseph Organ.

REEVES COUNTY.

Pecos City—C. H. Merriman, A. M.

Walthall, R. D. Gage, Frank B. Chilton.

Toyah—James Johnson.

Saragossa—Jacob Morrow.

RUSK COUNTY.

New Salem—Dallas Foreman.

Minden—Paul Rettig.

Overton—J. T. Still.

NAVARRO COUNTY.

Corsicana—H. L. Stone.

ROCKWALL COUNTY.

McLendon—J. J. Austin.

Rockwall—N. A. Edwards, J. H. Smith, L. D. Strand, J. N. Wilkerson, W. B. Wade, R. Y. Kernodle, A. L. Elliott.

Blackland—T. E. Hutchinson.

Willow Springs—J. P. K. Kyser.

Royse City—G. W. McCafferty, G. F. Langran, W. P. West.

Fate—R. J. Lowry.

REFUGIO COUNTY.

J. T. Hamilton.

TOM GREEN COUNTY.

San Angelo—Joseph T. Tallent, Robert Talbert, Arris Sherwood, J. J. Neill, J. H. Mean, Charles A. Dalley, C. F. Patten, J. M. Henderson, Joseph Spence, W. D. Cochran, Joseph Tweedy, D. T. Farley, B. Z. Cooper, Sam De Long, Ira Yates, J. H. Kellis, W. S. Cunningham, Louis L. Farr, Frank Lerch, A. W. Armstrong, A. P. McCarty, D. D. Wallace, J. T. Thompson, G. W. Lane.

Sherwood—John G. Gibbon, Thompson McDonald.

SHACKLEFORD COUNTY.

J. L. Fisher.

STEPHENS COUNTY.

T. W. Brown.

SAN SABA COTNTY.

San Saba—Ab. Walters, J. J. Carter.

STARR COUNTY.

Rio Grande City—Samuel J. Stewart, J. R. Monroe, J. B. Kelsey, Jas. I. Fix.

Roma—Alfred Moses, Guillermo Maguerza, C. B. Hastings.

TRAVIS COUNTY.

Austin—G. A. Patterson, A. Kennedy, A. Von Rosenberg, J. P. Davies, Jos. B. Winn, M. S. Dunn, A. E. Habicht, Thomas F. Taylor, J. W. Maxwell, John K. Donnon, D. B. Gracey, N. S. Walton, Warren W. Moore, S. D. De Córdova, Wm. W. Wood, A. T. Patrick, Frank M. Covert, A. S. Walker, jr., J. M. Thornton, J. S. Myrick, W. E. Booth, A. J. Peeler, M. C. Granberry, C. H. Powell, G. A. Hutchings, J. R. Hamilton, Irving Eggleston, Fritz Tegner, Fred Carleton, Franz Fiset, R. C. Shelley, H. E. Shelley, A. S. Burleson.

Nameless—W. P. Burns.

Manor—J. W. Bitting, R. J. Nixon.

Creedmore—W. B. Thrasher.

Carl—John S. McClintock.

Waters' Station—G. Calvin.

Valente—John M. King, Winston Myers.

Bee Cave—Carl Beck.

Del Valle—John W. Cloud.

Oak Hill—James W. Maddox, Frank Glascock.

UVALDE COUNTY.

Uvalde—R. E. Jones, Austin Polard, A. V. D. Old, A. A. Dial.

Utopia—Geo. A. Barker.

Sabinal—Lewis M. Peters.

VICTORIA COUNTY.

S. B. Dabney, M. M. Goodwin, E. A. King, Wm. Schmidt, J. E. Carpenter, George E. Amery, N. A. Thompson, John Munn, W. F. Brandes.

VAL VERDE COUNTY.

Del Rio—Joseph Jones, A. F. Dignowity, A. Bogle.

WEBB COUNTY.

Laredo—Louis P. Bryant, C. W. Gribble, A. Winslow, S. M. Jarvis, Thos. W. Dodd, S. T. Foster, J. L. Bartlett, C. C. Pierce, M. T. Cogley, J. B. Benavides, C. A. McLane, A. Magnon, C. F. Yaeger, W. H. Mowry, A. L. McLane.

WILLIAMSON COUNTY.

Leander—James P. Magill.
Granger—J. L. Avent, J. W. Wayman, J. B. Wright, S. M. Strayhorn.
Rice's Crossing—J. L. Patterson.

Bartlett—E. F. Kelley.
Corn Hill—A. P. Johnson.
Liberty Hill—J. A. Forbes.
Beaukiss—D. M. Cunningham.
Taylor—John Lloyd, C. P. Vance.
Georgetown—Sydney Seymour.

ZAVALLA COUNTY.

W. H. Robertson.

Senator Simkins entered a motion to reconsider the vote by which the Senate passed

Senate joint resolution No. 12, authorizing the Attorney-General to bring suit for the violation of the State's copyright to the Supreme Court and Court of Appeals report, and to make an appropriation therefor.

Senator Sims, by leave, sent up the following committee report:

COMMITTEE ROOM,

AUSTIN, February 1, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Judicial Districts, to whom was referred

House bill No. 162, entitled "An act to amend an act to designate what shall compose the Twenty-ninth judicial district of the State of Texas, and to fix the time of holding courts therein, approved March 30, 1887,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass, with the accompanying amendments.

This bill seeks to change the time of holding court in the counties of Palo Pinto and Coryell.

All of which is respectfully submitted.

SIMS,
Chairman.

Bill read first time with the following amendments:

Amend by striking out lines 15, 16 and 17 on page 1, and insert in lieu thereof the following: "In the county of Palo Pinto on the last Mondays in February and August, and may continue in session three weeks."

Amend line 21, page 1, by striking out the word "sixth" and insert in lieu thereof the word "fifth."

Amend line 25 by striking out the word "eighth" and insert in lieu thereof the word "seventh."

Amend in line 29, page 1, by striking out the word "twelfth" and insert in lieu thereof the word "eleventh."

Amend by striking out lines 1, 2 and 3, page 2, and insert in lieu thereof

the following: "In the county of Coryell on the third Mondays in January and July, and may continue in session four weeks."

Amend section 3 of the bill by inserting after the word "fact," in line 1, "that the time;"

And in line 2, after the word "district," "is hereby changed;"

And line 4, by inserting after the word "effect," "if it should take effect from and after its passage;"

And by inserting after the word "succession," in line 6, "which will probably have to be done if this act does not take effect until ninety days after the adjournment of this Legislature;"

And in the last two lines, by striking out the words "from and after its passage," and inserting in lieu thereof the words "on and after the first day of April, A. D. 1889."

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
AUSTIN, February 1, 1889.

Hon. T. B. Wheeler, President of the Senate:

SIR—I am directed to inform the Senate that the House has passed

House concurrent resolution asking that a room in the Capitol be set apart for the deposit of granite, marble and lithographic stones and varieties of specimens of wood finished and polished, to show the resources and quality of the building materials of the State of Texas, and thanking Messrs. W. H. Westfall, G. W. Lacy and N. L. Norton for furnishing material for the building of the new State Capitol.

W. M. IMBODEN,
Chief Clerk House of Representatives.

The President referred:

The House concurrent resolution to the Committee on Public Buildings and Grounds.

Substitute House bill No. 21 to the Committee on Public Lands, and

House bill No. 16 to the Committee on Federal Relations.

On motion of Senator Simkins,
The House was requested to return Senate joint resolution No. 12, authorizing the Attorney-General to bring suit for the violation of the State's copyright to the Supreme Court and Court of Appeals reports, and to make an appropriation therefor.

On motion of Senator Burney,
By unanimous consent of the Senate,

The regular order of business was suspended and

Senate bill No. 191, a bill to be entitled "An act to more particularly define, fix and establish the boundary lines of Brewster and Jeff Davis counties,"

Was laid before the Senate and

Read the second time with a favorable committee report.

Senator Burney moved to

Amend section 1 by adding before the word "thence," in line 8 (original bill), of said section the following: "Thence to the southeast corner of survey No. 31, certificate No. 702, Texas and St. Louis Railway Company, block 211; thence east to the northeast corner of survey No. 1, certificate No. 762, Texas and St. Louis Railway Company, block No. 214."

Adopted.

The bill as amended was ordered engrossed.

On motion of Senator Kimbrough,

The regular order of business was suspended by unanimous consent of the Senate and

Senate bill No. 54, a bill to be entitled "An act to amend chapter 3, title 17, of the Penal Code of the State of Texas, by adding thereto article 688,"

Was laid before the Senate and
Read the second time with a favorable committee report.

The bill was ordered engrossed.

On motion of Senator Simkins,
By unanimous consent of the Senate,
The regular order of business was further suspended and

Senate bill No. 158, a bill to be entitled "An act to amend title 50, article 2838, of the Revised Statutes,"

Was taken up,
Read the third time and passed.

Senator Tyler called up his motion entered to reconsider the vote by which the Senate passed

Senate bill No. 11, a bill to be entitled "An act to amend article 1192 of the Revised Civil Statutes."

The vote was reconsidered and
Senator Stephens moved to

Amend by adding after the word "court," in line 11, printed bill, the words:

"Provided, that it shall be the duty of the party filing such pleading to notify the opposite party or his attorney of record of the filing of such amended pleading, except in case where neither the opposite party nor his attorney of record reside in the county wherein

the suit is pending, and the amended pleading does not set up a new cause of action, the filing of such amended pleading for five full days among the papers of the cause, shall be sufficient service of notice thereof, and no motion to strike out such amended pleading for failure to serve notice thereof, or for defective service of notice thereof, shall be filed in any case after the first day of the next succeeding term of the court after the filing of such amended pleading."

Adopted by the following vote:

YEAS—22.

Abercrombie,	Kimbrough,
Allen,	Lane,
Armistead,	Maetze,
Burges,	Pope,
Burney,	Seale,
Clalborne,	Sims,
Cranford,	Stephens,
Frank,	Townsend,
Glasscock,	Tyler,
Harrison,	Upshaw,
Jarvis,	Woodward.

NAYS—None.

ABSENT—2.

Johnson, Simkins.

The bill as amended was passed.

On motion of Senator Pope,

The Senate adjourned till 10 o'clock Monday morning.

TWENTY-THIRD DAY.

SENATE CHAMBER,
AUSTIN, February 4, 1889.

Senate met pursuant to adjournment.

Lieutenant-Governor Wheeler in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Upshaw,

The reading of the Journal was dispensed with.

On motion of Senator Kimbrough, Senator Lane was excused for to-day, on account of important business.

On motion of Senator Jarvis, Senator Townsend was excused for to-day, on account of important business.

PETITIONS AND MEMORIALS.

By Senator Abercrombie:

Petition from the citizens of Walker county, asking that occupation tax laws be repealed as to certain occupations.

Referred to Committee on Finance.
By Senator Cranford:

Petition from citizens of Hopkins county, asking that exempt personal property be prohibited from mortgage.

Referred to Judiciary Committee No. 1.

And a

Petition from citizens of Hopkins county, asking repeal of certain occupation taxes.

Referred to Committee on Finance.

By Senator Jarvis:

Petition of members of the bar of Fort Worth, asking that the Supreme and Appellate Courts be consolidated at Austin.

Referred to Committee on State Affairs.

By Senator Stephens:

Memorial from citizens of Hall county, praying to be permitted to remain attached to Donley county for judicial and other purposes.

Referred to Committee on Judicial Districts.

By Senator Kimbrough:

Petition of John H. Cochran and a hundred and fifteen other tax payers and free-holders of Dallas, praying for a law permitting the issuance of bonds to a limited extent to be applied to improving the public roads.

Referred to Committee on Roads and Bridges.

REPORTS OF STANDING COMMITTEES.

By Senator Harrison:

COMMITTEE ROOM,
AUSTIN, February 1, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Agriculture, to whom was referred

Senate bill No. 171, entitled "An act to regulate the sale of cotton in the seed, and to provide a punishment for its violation,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

HARRISON,
Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, February 1, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Agriculture, to whom was referred

Senate bill No. 157, entitled "An act